

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
Request of Limited Modification of)
LATA Boundaries to Provide ELCS)
Between the Graford)
Exchange and the **Graham** and)
Jacksboro Exchanges.)

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PETITION

I. INTRODUCTION

Southwestern Bell Telephone Company (SWBT), pursuant to Section 3(25) of the Communications Act of 1934, as amended,¹ and in accordance with the guidelines established in the Commission's Memorandum Opinion and Order (MO&O) released July 15, 1997 in CC Docket No. 96-159,² hereby submits an application for a limited modification of LATA boundaries to provide ELCS between the Graford exchange and the Graham and Jacksboro exchanges in Texas.

II. SUPPORTING INFORMATION

As prescribed in paragraph 23 of the aforementioned Commission MO&O, SWBT provides the following information in support of its application:

1. Type of service: Flat-rate, non-optional Expanded Local Calling (ELC);
2. Direction of service: Two-way;
3. Exchanges involved: Graford in the Dallas LATA, Graham in the Wichita Falls LATA and Jacksboro in the Wichita Falls LATA;

¹ The Communications Act of 1934, as amended, 47 U.S.C. *et al.*

² Memorandum Opinion and Order, Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service at Various Locations, CC Docket No. 96-159, released July 15, 1997. By way of this MO&O the Commission adopted a format for and criteria under which such petitions would be granted. The format and criteria are detailed in paragraphs 23 and 24.

4. Name of carriers: Graford of United Telephone Company of Texas, d/b/a Sprint, Graham of Southwestern Bell Telephone Company and Jacksboro of Southwestern Bell Telephone Company;
5. State commission approval(s): See Attachment A;
6. Number of access lines or customers: Graford has 459 access lines, Graham has 9,116 access lines and Jacksboro has 3,192 access lines;
7. Usage data: Usage data is not available to Southwestern Bell Telephone. SWBT does not currently carry traffic across LATA boundaries,
8. Poll results: Percentage of Graford customers returning ballots who voted in favor of ELC to ~~Graham~~: 96.27. Percentage of Graford customers returning ballots who voted in favor of ELC to Jacksboro: 96.60. Where SWBT is the petitioning exchange, there is *no* proposed rate increase. Where SWBT is not the petitioning exchange, SWBT does not have information as to any proposed rate increase.
9. Community of interest statement: The Public Utility Commission of Texas includes a Community of Interest Finding in their Order(s). See Attachment A
10. Map: See Attachment B; and,
11. Other pertinent information: None

III. *PRIMA FACIE* SHOWING

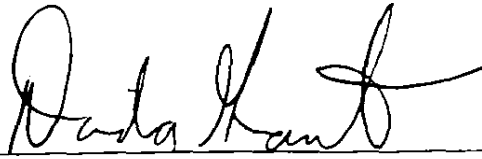
SWBT believes that it has made a *prima facie* case supporting grant of the proposed modification because the instant ELCS petition (1) has been approved by the state commission; (2) proposes only traditional local service (i.e., flat-rate, non-optional ELCS); (3) indicates that the state commission found a sufficient community of interest to warrant such service; (4) documents this community of interest through such evidence as **poll** results and descriptions of the communities involved; and (5) involves a limited number of customer or access lines.

IV. CONCLUSION

Wherefore, SWBT request that the Commission approve its application for a limited modification of **LATA** boundaries to provide ELCS between the Graford exchange and the Graham and Jacksboro exchanges.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY

By 

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November 14, 2002

DOCKET NO. 26080

PETITION FOR EXPANDED LOCAL
CALLING SERVICE FROM THE GRAFORD
EXCHANGE TO THE EXCHANGES OF
GRAHAM AND JACKSBORO

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§
§
§

PUBLIC UTILITY COMMISSION
OF TEXAS

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INTERIM ORDER

Findings of Fact

1. On February 21, 2002, subscribers of the **Graford** Exchange filed a petition for Expanded **Local Calling Service** (ELCS) requesting **non-optional**, two-way, flat rate calling to the exchanges of **Graham** and **Jacksboro**.
2. The **processes** for **petitioning** and balloting included notice that if service to the **Graford Exchange** is approved by ballot, an additional **monthly** fee of up to **\$3.50** per residential line and **\$7.00** per business line on a **non-optional** basis would apply.
3. The **Graford** Exchange is in the Dallas Local Access and Transport Area (LATA) and is served by United Telephone **Company**, d/b/a Sprint. The petitioned exchange of **Graham** is in the Longview LATA and is served by Southwestern Bell Telephone Company (SWBT). The petitioned exchange of **Jacksboro** is in the **Wichita Falls** LATA and is served by SWBT.
4. An affirmative vote of **96.27** percent of **Graford** Exchange subscribers responding to the ballot favored expanded the local calling scope to include the **Graham** Exchange. An affirmative vote of **96.60** percent of **Graford** Exchange subscribers responding to the ballot favored expanding the local calling scope to include the **Jacksboro** Exchange.

5. On July 15, 1997, the Federal Communications Commission (FCC) issued an order, *In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ELCS) at Various Locations*, CC Docket No. 96-159, FCC 97-244, (rel. July 15, 1997) (*Memorandum Opinion and Order*), providing a procedure for requesting a limited LATA boundary modification.

6. Utilizing vertical and horizontal (V&H) geographic coordinates of the central switching offices pursuant to 16 T.A.C. § 23.49(c)(3)(B)(i), the central office of the petitioned exchange of Graham is 22.45 miles from the petitioning exchange and the central office. Utilizing vertical and horizontal (V&H) geographic coordinates of the central switching offices pursuant to T.A.C. § 23.49(c)(3)(B)(i), the central office of the petitioned exchange of Jacksborn is 19.79 miles from the petitioning exchange and the central office.

7. In addition to satisfying the geographic requirement of the Texas Public Utility Commission rules that the central switching office for a petitioned exchange be within 50 miles of the petitioning exchange, statements attesting to the existence of a community of interest between the petitioning and petitioned exchange were filed on February 21, 2002, for the petitioned exchanges of Graham and Jacksborn.

8. The Graford residents use the following vital services found in the exchanges of Graham and Jacksborn: medical facilities, physicians, repair and supply businesses, major employers, banking facilities, groceries, and general merchandise stores.

9. Based on the statement referenced in Finding of Fact No. 8, there is a community of interest between the petitioning Graford Exchange and the petitioned exchanges of Graham and Jacksborn.

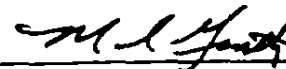
Ordering Paragraphs

In accordance with the findings of fact, the Commission issues the following Interim Order:

1. Petitioners from the Graford Exchange have shown a community of interest with the exchanges of Graham and Jacksboro.
2. SWBT is directed to file a request for a limited modification of the LATA boundary in accordance with the procedures outlined in the FCC order, *In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ELCS) at Various Locations*. CC Docket No. 96-159, FCC 97-244, (rel. July 15, 1997) (*Memorandum Opinion and order*), ¶¶ 23 & 24 by September 30, 2002.
3. Within ten (10) days of the receipt of an Order or Notice from the FCC relating to this petition, SWBT is directed to file such Order or Notice in this project.

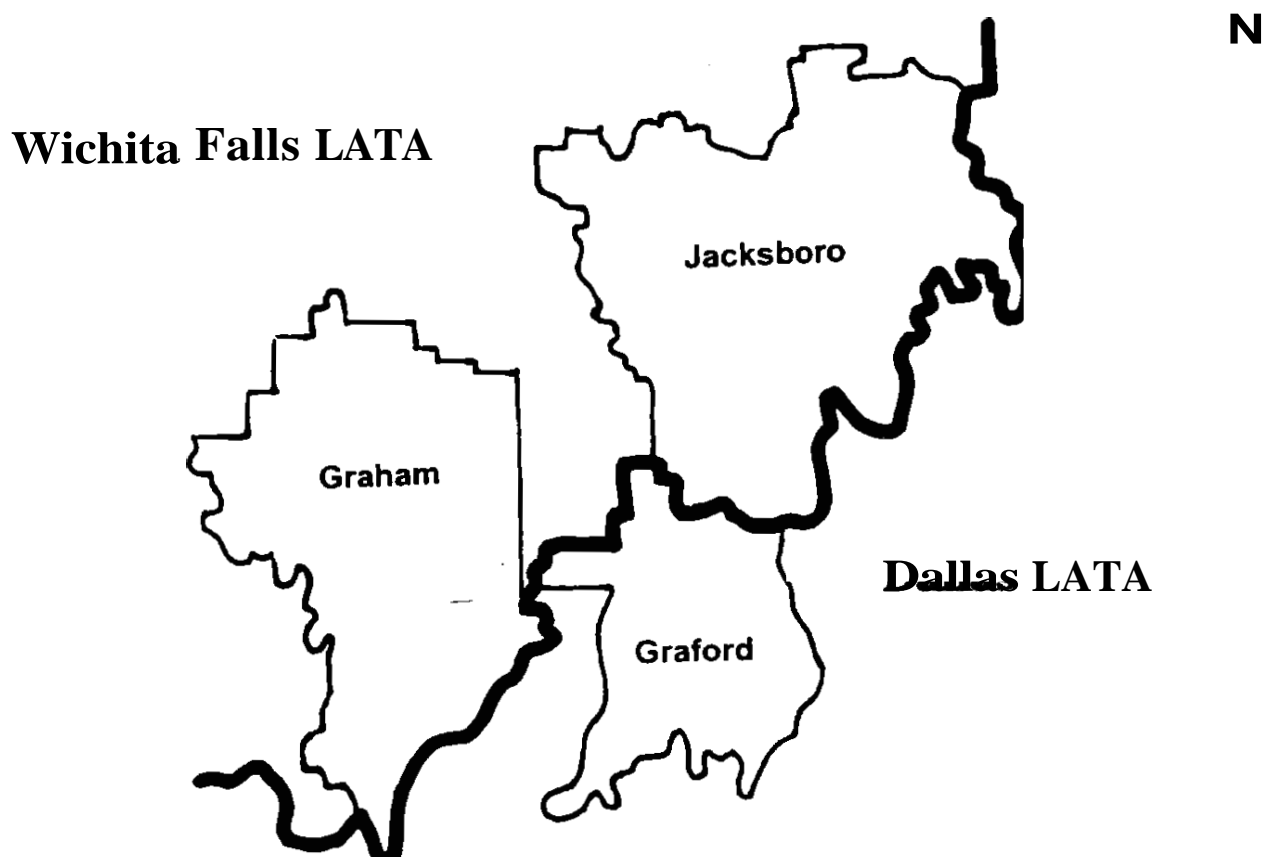
SIGNED AT AUSTIN, TEXAS the 16th day of September 2002.

PUBLIC UTILITY COMMISSION OF TEXAS



MARK GENTLE
ADMINISTRATIVE LAW JUDGE
POLICY DEVELOPMENT DIVISION

Graford to Graham and Jacksboro



1 inch = approx. 11 mi.

40 miles